

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION**

**FREDA STAPLES, FOR THE
WRONGFUL DEATH OF HER
HUSBAND, BILLY MITCHELL,**

Plaintiff,

v.

**JAMES B. WHITE, M.D.
MARVIN W. REID, M.D. AND
TANNER MEDICAL CENTER,
INC.**

Defendants.

**CIVIL ACTION FILE
NO.: 3:10-CV-057-JTC**

**STIPULATION OF DISMISSAL OF
DEFENDANTS WHITE AND REID**

Plaintiff, pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(ii) and the holding of Hedquist v. Merrill Lynch, Pierce, Fenner & Smith, Inc., 272 Ga. 209 (2001), which holds that in a case against an employer and employees a voluntary dismissal of the employees does not bar the plaintiff from pursuing claims against the employer under the doctrine of respondeat superior for the employees' acts, dismisses her claims against Defendants James White, M.D. and Marvin W. Reid, M.D. Plaintiff, by this dismissal, does not dismiss her claims against Defendant

Tanner Medical center, Inc. ("Defendant TMC") Plaintiff's action against Defendant TMC continues.

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By: 

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TISINGER VANCE, P.C.

By: 

Richard G. Tisinger, Jr.

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Attorney for Defendant

Tanner Medical Center, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused a copy of **STIPULATION OF DISMISSAL DEFENDANTS WHITE AND REID** be filed with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Defendants James B. White, M.D. and Marvin W. Reid, M.D.'s counsel:

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Defendant Tanner Medical Center, Inc.'s counsel:

Richard G. Tisinger, Jr.
Tisinger Vance, P.C.
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This 10 day of May 2011.



Gary Bunch